

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EDWARD GARAFOLA,

Petitioner,

- against -

UNITED STATES OF AMERICA,

Respondent.

09 Civ. 10280 (JGK)

MEMORANDUM OPINION AND
ORDER

JOHN G. KOELTL, District Judge:

By motion dated January 24, 2013, the petitioner sought to alter or amend the judgment denying his petition pursuant to 28 U.S.C. § 2255. The motion did not contain any supporting papers, although the motion indicated the petitioner's intent to file such papers. Based on representations that the petitioner was in poor health, the Court repeatedly extended the deadline to submit supporting papers. It has now been nearly a year since the motion to alter or amend was filed and no supporting papers have been filed. It is now time to decide the motion so that the petitioner can appeal this Court's judgment denying his petition pursuant to 28 U.S.C. § 2255.

The motion to alter or amend this Court's judgment denying the petitioner's petition pursuant to 28 U.S.C. § 2255 is denied. The petitioner has failed to show that the Court erred in any way in denying his petition.

The Court notes that if the petitioner has a serious health problem, he should consult his lawyer, his counselor, and the Bureau of Prisons as to the available remedies within the Bureau of Prisons.

The motion to alter or amend the Court's judgment is denied. The Clerk is directed to close all pending motions.

SO ORDERED.

Dated: New York, New York
January 21, 2014

_____/s/_____
JOHN G. KOELTL
UNITED STATES DISTRICT JUDGE